## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

| UNITE  | D STA   | ΓES OF AMERICA   | )  |   |
|--|---|--|--|---|
| VS.  |   |  | )  | CASE NO.: 3:12-CR-283-M (01)  |
| ROGELIO ROCHA RODRIGUEZ,<br>Defendant.               |   |  | ) )  |   |
|  | <u>]</u>  | ORDER ACCEPTING I<br>UNITED STATES MAGIST  | REPORT AND RECOMMI   |   |
| Magistr<br>U.S.C.<br>Magistr<br>Court a<br>Intent to | t of the rate Judge \$ 636(b) rate Judge ccepts the Distrib   | defendant, and the Report a<br>ge, and no objections thereto l<br>o)(1), the undersigned Distric-<br>ge concerning the Plea of Gui<br>he plea of guilty, and ROGEL | nd Recommendation Concertaining been filed within fourth Judge is of the opinion that Ity is correct, and it is hereby IO ROCHA RODRIGUEZ is violation of 21 U.S.C. § 841(a) | ce Regarding Entry of a Plea of Guilty, the ming Plea of Guilty of the United States teen days of service in accordance with 28 at the Report and Recommendation of the accepted by the Court. Accordingly, the hereby adjudged guilty of Possession with a)(1) and 841(b)(1)(B)(viii). Sentence will |
| ⊠  | The defendant is ordered to remain in custody.  |  |  |   |
|  | The Court adopts the findings of the United States Magistrate Judge by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released and should therefore be released under § 3142(b) or (c).  |  |  |   |
|  | Upon motion, this matter shall be set for hearing before the United States Magistrate Judge who set the conditions of release for determination, by clear and convincing evidence, of whether the defendant is likely to flee or pose a danger to any other person or the community if released under § 3142(b) or (c).   |  |  |   |
|  | The defendant is ordered detained pursuant to 18 U.S.C. § 3143(a)(2). The defendant shall self-surrender to the United States Marshal no later than   |  |  |   |
|  | The de  | There is a substantial likelih.<br>The Government has recommend This matter shall be set for he of release for determination,                                      | ood that a motion for acquitta<br>mended that no sentence of in<br>earing before the United State<br>by clear and convincing evid  | 43(a)(2) because the Court finds al or new trial will be granted, or imprisonment be imposed, and es Magistrate Judge who set the conditions lence, of whether the defendant is likely to try if released under § 3142(b) or (c).   |
|  | The defendant is not ordered detained pursuant to 18 U.S.C. § 3143(a)(2) because the defendant has filed a motion alleging that there are exceptional circumstances under § 3145(c) why he should not be detained under § 3143(a)(2). This matter shall be set for hearing before the United States Magistrate Judge who set the conditions of release for determination of whether it has been clearly shown that there are exceptional circumstances under § 3145(c) why the defendant should not be detained under § 3143(a)(2), and whether it has been shown by clear and convincing evidence that the defendant is likely to flee or pose a danger to any other person or the community if released under § 3142(b) or (c). |  |  |   |

UNITED STATES DISTRICT JUDGE

NORTHERN DISTRICT OF TEXAS